

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CIBA SPECIALTY CHEMICALS  
CORPORATION, a Delaware Corporation,

Plaintiff

v.

3 V, INC., a Delaware Corporation,

Defendant

C.A. No.: 06-672-JJF

**REPLY TO COUNTERCLAIM**

Comes now the plaintiff CIBA Specialty Chemicals Corporation ("CIBA") by counsel, and answers each numbered paragraph of 3V, Inc.'s counterclaim with respectively numbered paragraphs as follows:

**Jurisdiction and Venue**

1. Ciba admits that this Court has jurisdiction under 28 U.S.C. §1331 and 28 U.S.C. §1338(a). The remaining allegations in this paragraph of the Counterclaim require no reply.

2. Admitted.

**The Parties**

3. CIBA admits that the '973 patent names Giuseppe Raspanti of Bergamo, Italy as inventor but has only counterclaimant's representations as to the remaining allegations of this paragraph of the counterclaim and, to that extent, denies the remaining allegations and leaves counterclaimant to its proofs.

4. Admitted.
5. Admitted except that Ciba is properly entitled to the benefit of the January 23, 1995 filing date of European Application No. EP 95810042.

6. Denied.

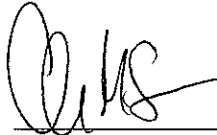
Count I

7. Ciba repeats its replies to paragraphs 1 - 6 of the Counterclaim as if fully set forth herein.

8. Denied.

**General Denial:**

Ciba denies that Counterclaimant is entitled to judgment requested in the counterclaim.



---

Frederick L. Cottrell, III (#2555)

cottrell@rlf.com

Chad M. Shandler (#3796)

shandler@rlf.com

Richards, Layton and Finger

One Rodney Square

920 N. King Street

Wilmington, DE 19081

(302) 651-7700

Fax: (302) 651-7701

Attorneys for CIBA Specialty Chemicals  
Corporation

*Of Counsel:*

Alan E. J. Branigan

Brion Heaney

Richard J. Traverso

Millen White Zelano & Branigan, P.C.

2200 Clarendon Blvd

Suite 1400

Arlington, VA 22201

Dated: December 11, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that on December 11, 2006, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following and which has also been served as noted:

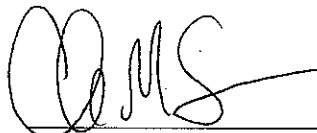
**BY HAND**

Joseph Grey  
Stevens & Lee  
1105 North Market Street  
7<sup>th</sup> Floor  
Wilmington, DE 19801

I hereby certify that on December 11, 2006, I sent the foregoing document by electronic mail, to the following non-registered participants:

**BY FEDERAL EXPRESS**

Raymond C. Stewart  
Quentin R. Corrie  
Birch, Stewart, Kolasch & Birch, LLP  
8110 Gatehouse Road, Suite 100 East  
Falls Church, VA 22040-0747

A handwritten signature in black ink, appearing to read 'CMS' with a long horizontal stroke extending to the right.

Chad M. Shandler (#3796)  
shander@rlf.com